

Civil No. 97-1457 (JAG)

2

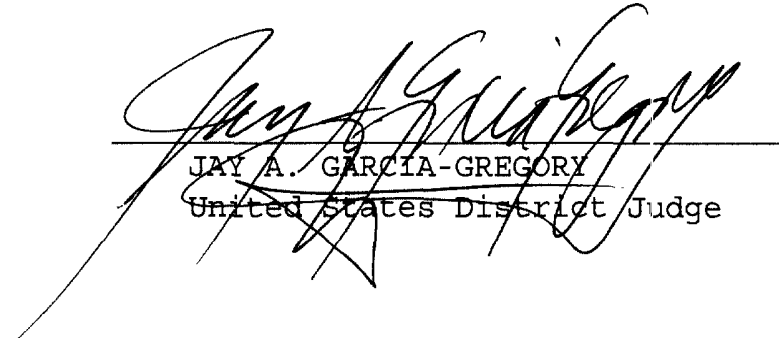
including the possibility of no recovery at all." (Docket No. 73).
The Court's position in this respect remains unchanged.

Because an appeal has been taken, the same uncertainty exists at this point as to the amount Tex-Shield may ultimately be entitled to recover. Therefore the Court must deny Tex-Shield's motion without prejudice. Tex-Shield may renew its motion once the appeal is finally decided.

Therefore, the Court hereby **DENIES without prejudice** Tex-Shield's motion for entry of final judgment on arbitral award plus pre-judgment interest and for writ of execution (Docket No. 122), and DJM's motion to strike or deny Tex-Shield's motion (Docket No. 123)

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 30th day of September 2003.



JAY A. GARCIA-GREGORY
United States District Judge